



9-10-04 IFW  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Breddam et al. Examiner: Unassigned  
Serial No.: 10/800,200 Group Art Unit: 1638  
Filed: March 11, 2004 Docket: 12845.0009US01  
Confirmation No.: 9044 Notice of Allow. Date:

Due Date:

Title: BARLEY FOR PRODUCTION OF FLAVOR-STABLE BEVERAGE

**CERTIFICATE UNDER 37 CFR 1.10:**

"Express Mail" mailing label number: EV 408487806 US  
Date of Deposit: September 8, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: Lynnda Kraft

Mail Stop IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: 

Name: Denise M. Kettelberger, Ph.D.

Reg. No.: 33,942

DMK:lek



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PATENT

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By:

Name: Lynnda Kraft

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))**

Mail Stop IDS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903

Date:

8 September 2004

Denise M Kettelberger

Denise Kettelberger, Ph.D.

Reg. No. 33,924

DMK:lek

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PATENT TRADEMARK OFFICE

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

## IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

12845.0009US01

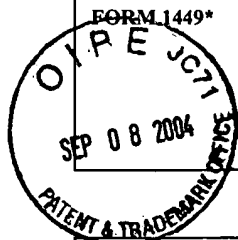
Application Number:

10/800,200

Applicant: Breddam et al.

Filing Date: March 11, 2004

Group Art Unit: 1638



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Hirota et al., 20-26 June 2004, 9th International Barley Genetics Symposium, Brno, Czech Republic, pp. 69-73. "Genetic Variation of Barley Seed Lipxygenase-1: Null Mutants."

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.